

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CENTRAL DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL JON FRAZER,

Defendant.

No. 12-CR-3044-LRR

ORDER

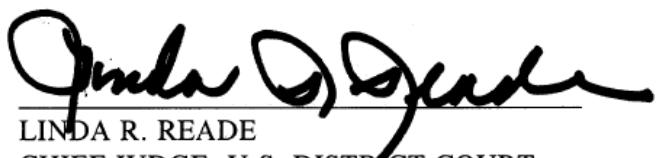
The matter before the court is Defendant Michael Jon Frazer's Objections (docket no. 23) to Magistrate Judge Jon S. Scoles's Report and Recommendation (docket no. 22), which recommends that the court deny Defendant's Motion to Suppress (docket no. 15).

On October 22, 2012, Defendant filed the Motion to Suppress. On October 29, 2012, the government filed a Resistance (docket no. 17). On October 30, 2012, Defendant filed an Amendment (docket no. 18) to the Motion to Suppress. On October 31, 2012, Judge Scoles held a hearing on the Motion to Suppress. *See* Minute Entry (docket no. 19). On November 15, 2012, Judge Scoles issued the Report and Recommendation, which recommends that the court deny the Motion to Suppress. On November 20, 2012, Defendant filed his Objections. On December 5, 2012, while the Motion to Suppress was still pending, Defendant filed a Notice of Intent to Plead Guilty (docket no. 24) and, on December 12, 2012, Defendant entered unconditional guilty pleas to Counts 1 and 2 of the Indictment (docket no. 1). *See* Minute Entry (docket no. 28). The court accepted Defendant's guilty pleas on December 27, 2012. *See* December 27, 2012 Order (docket no. 35).

“[A] guilty plea waives all suppression issues not expressly reserved by a conditional plea.” *United States v. Villa-Madrigal*, 683 F.3d 924, 926 (8th Cir.) (quoting *United States v. Freeman*, 625 F.3d 1049, 1052 (8th Cir. 2010)), cert. denied, ___ S. Ct.

_____, 2012 WL 4850186 (2012). Thus, in light of Defendant's unconditional guilty pleas, the Motion to Suppress (docket no. 15) is **DENIED AS MOOT**. The Clerk of Court is **DIRECTED** to terminate the Report and Recommendation (docket no. 22) and the Objections (docket no. 23).

DATED this 27th day of December, 2012.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA